

billions of dollars, the greater the likelihood of overpayments. This legislation addresses this problem by requiring Federal agencies to use a financial management tool that is called recovery auditing.

Recovery auditing is used to identify overpayments due to financial system weaknesses, problems with fundamental recordkeeping and financial reporting, incomplete documentation, and other weaknesses in a financial accounting system. It has been used very successfully by the automobile, retail, and food services industries in our country for more than 30 years. It is currently employed by the majority of the Fortune 500 companies. However, only a very few Federal agencies have utilized the process.

One agency that has used recovery auditing is the Army and Air Force Exchange Service, which recovered \$25 million in overpayments through recovery auditing in 1998.

H.R. 1827 would require Federal agencies to conduct recovery auditing on all payment activities over \$500 million annually on goods and services for the use or direct benefit of the agency. Recovery audits would be optional for other payment activities.

This bill provides that the contractors simply identify potential overpayments. They have no authority to make determinations or to take collective action. These functions remain at all times with the agency itself. Audits are to be structured to produce the greatest financial gain to the government and must comply with a recovery audit standard to be set forth by the director of the Office of Management and Budget.

Agencies would be authorized to conduct recovery audits in house, contract with private recovery specialists, or use any combination of the two. The agency head would have the authority to use contingency contracts, whereby a contractor would be allowed to retain a percentage of collections from the overpayments they identify during the audit. The agency head would also be free to adopt compensation arrangements other than contingency fees. The bill provides the amounts recovered will be available to pay for a recovery audit contractor or to reimburse appropriations for recovery audit costs incurred by the agency.

At least 50 percent of the overpayments recouped will go back to the general treasury of the government. Up to 25 percent of the overpayments recouped may be used for a management improvement program designed to prevent future overpayments and waste at the agency.

During the subcommittee markup on this bill, a number of concerns were discussed regarding reservations that the health care industry had about this bill. At that time, we, as a committee, pledged to work out a solution to those

concerns before full markup. In keeping with that commitment, on November 10 the gentleman from Indiana (Mr. BURTON) offered an amendment in the nature of a substitute which limited this bill to direct services to the government.

□ 1245

It is my understanding that this substitute alleviated the concerns that were expressed by the health care industry.

Also, at the full committee I offered an amendment which the committee adopted relating to privacy protections for individually identifiable information. This amendment will provide safeguards and remedies to people who might have had their records misused by private recovery auditing firms.

Additionally, the gentleman from California (Mr. WAXMAN), the ranking member, offered an amendment which was also adopted by the committee which ensures that the agency head will conduct a public-private cost comparison before deciding to contract for recovery auditing services on the outside.

I appreciate the bipartisan manner that both of these amendments were negotiated under and which H.R. 1827 passed out of the committee on a voice vote.

Mr. Speaker, H.R. 1827 represents a significant step toward dealing with the billions of dollars in Federal overpayments that our committee discovered were made every year. I am pleased to be a cosponsor. Recovery auditing is simply good government.

I again commend the gentleman from Indiana (Chairman BURTON), the gentleman from California (Mr. WAXMAN), and the gentleman from California (Chairman HORN) for their leadership on the bill.

I urge the House to adopt H.R. 1827.

Mr. Speaker, I reserve the balance of my time.

Mr. HORN. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, as the author of the bill, I have just been informed that one of our colleagues has some minor problems with the bill. In order to accommodate him, what I would like to do, with unanimous consent of the House, is to withdraw the bill at this time, try to correct any differences that we have, and then bring the bill up later today. I think we can do that in a relatively short period of time.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from California (Mr. HORN) needs to withdraw the motion.

Mr. HORN. Mr. Speaker, I ask unanimous consent to withdraw the motion to suspend the rules.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The motion is withdrawn.

EXPORT ENHANCEMENT ACT OF 1999

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3381) to reauthorize the Overseas Private Investment Corporation and the Trade and Development Agency, and for other purposes.

The SPEAKER pro tempore. Is there objection to consideration of the motion at this time?

There was no objection.

The Clerk read as follows:

H.R. 3381

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Export Enhancement Act of 1999".

SEC. 2. OPIC ISSUING AUTHORITY.

Section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(3)) is amended by striking "1999" and inserting "2003".

SEC. 3. IMPACT OF OPIC PROGRAMS.

(a) ADDITIONAL REQUIREMENTS.—Section 231A of the Foreign Assistance Act of 1961 (22 U.S.C. 2191a) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by inserting after subsection (a) the following new subsection:

"(b) ENVIRONMENTAL IMPACT.—The Board of Directors of the Corporation shall not vote in favor of any action proposed to be taken by the Corporation that is likely to have significant adverse environmental impacts that are sensitive, diverse, or unprecedented, unless for at least 60 days before the date of the vote—

"(1) an environmental impact assessment or initial environmental audit, analyzing the environmental impacts of the proposed action and of alternatives to the proposed action has been completed by the project applicant and made available to the Board of Directors; and

"(2) such assessment or audit has been made available to the public of the United States, locally affected groups in the host country, and host country nongovernmental organizations.";

(3) in subsection (c), as so redesignated—

(A) by inserting "(1)" before "The Board";

and

(B) by adding at the end the following:

"(2) In conjunction with each meeting of its Board of Directors, the Corporation shall hold a public hearing in order to afford an opportunity for any person to present views regarding the activities of the Corporation. Such views shall be made part of the record."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 90 days after the date of the enactment of this Act.

SEC. 4. BOARD OF DIRECTORS OF OPIC.

Section 233(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2193(b)) is amended—

(1) by striking the second and third sentences;

(2) in the fourth sentence by striking "(other than the President of the Corporation, appointed pursuant to subsection (c) who shall serve as a Director, ex officio)";

(3) in the second undesignated paragraph—
(A) by inserting “the President of the Corporation, the Administrator of the Agency for International Development, the United States Trade Representative, and” after “including”; and

(B) by adding at the end the following: “The United States Trade Representative may designate a Deputy United States Trade Representative to serve on the Board in place of the United States Trade Representative.”; and

(4) by inserting after the second undesignated paragraph the following:

“There shall be a Chairman and a Vice Chairman of the Board, both of whom shall be designated by the President of the United States from among the Directors of the Board other than those appointed under the second sentence of the first paragraph of this subsection.”.

SEC. 5. TRADE AND DEVELOPMENT AGENCY.

(a) PURPOSE.—Section 661(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2421(a)) is amended by inserting before the period at the end of the second sentence the following: “, with special emphasis on economic sectors with significant United States export potential, such as energy, transportation, telecommunications, and environment”.

(b) CONTRIBUTIONS OF COSTS.—Section 661(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2421(b)) is amended by adding at the end the following:

“(5) CONTRIBUTIONS TO COSTS.—The Trade and Development Agency shall, to the maximum extent practicable, require corporations and other entities to—

“(A) share the costs of feasibility studies and other project planning services funded under this section; and

“(B) reimburse the Trade and Development Agency those funds provided under this section, if the corporation or entity concerned succeeds in project implementation.”.

(c) FUNDING.—Section 661(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2421(f)) is amended—

(1) in paragraph (1)(A) by striking “\$77,000,000” and all that follows through “1996” and inserting “\$48,000,000 for fiscal year 2000 and such sums as may be necessary for each fiscal year thereafter”; and

(2) in paragraph (2)(A), by striking “in fiscal years” and all that follows through “provides” and inserting “in carrying out its program, provide, as appropriate, funds”.

SEC. 6. IMPLEMENTATION OF PRIMARY OBJECTIVES OF TPCC.

The Trade Promotion Coordinating Committee shall—

(1) report on the actions taken or efforts currently underway to eliminate the areas of overlap and duplication identified among Federal export promotion activities;

(2) coordinate efforts to sponsor or promote any trade show or trade fair;

(3) work with all relevant State and national organizations, including the National Governors' Association, that have established trade promotion offices;

(4) report on actions taken or efforts currently underway to promote better coordination between State, Federal, and private sector export promotion activities, including co-location, cost sharing between Federal, State, and private sector export promotion programs, and sharing of market research data; and

(5) by not later than March 30, 2000, and annually thereafter, include the matters addressed in paragraphs (1), (2), (3), and (4) in the annual report required to be submitted under section 2312(f) of the Export Enhancement Act of 1988 (15 U.S.C. 4727(f)).

SEC. 7. TIMING OF TPCC REPORTS.

Section 2312(f) of the Export Enhancement Act of 1988 (15 U.S.C. 4727(f)) is amended by striking “September 30, 1995, and annually thereafter,” and inserting “March 30 of each year.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from New Jersey (Mr. MENENDEZ) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3381.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in strong support of the Export Enhancement Act of 1999. This measure before us today provides a 4-year authorization of OPIC, an authorization of the Trade and Development Agency and several provisions enhancing the effectiveness of the Trade Promotion Coordinating Committee.

Mr. Speaker, this measure is a stripped-down version of H.R. 1993, which passed the House on October 13 by an overwhelming margin of 357 to 71. This bill enjoys full bipartisan support. It is identical to the text of a measure the Senate is ready to consider in the very near future.

Passing this measure today will ensure that the Overseas Private Investment Corporation will get the authorities it needs to play a key role in boosting our Nation's competitiveness and export potential.

I urge its prompt adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. MENENDEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this measure to reauthorize the OPIC and the U.S. Trade Development Agency.

Basically, there is a version that has already passed the House 357-71, but to expedite it in the Senate, we are pursuing it in this fashion.

Export promotion programs, like OPIC and TDA, provide crucial support for American businesses in the global marketplace. U.S. exports of goods and services are estimated to support more than 12 million domestic jobs. Each \$1 billion in U.S. goods and services supports approximately 13,000 jobs. This is a reality in my home State of New Jersey, as well as throughout the country.

OPIC has had a positive net income for every year of operation, which reserves now total more than \$3 billion. Last year it earned a profit of \$139 mil-

lion and contributes over \$204 million in net negative budget authority.

So at a time when Congress is striving to adhere to the constraints of a balanced budget, OPIC stands a part of a revenue earning program. It also complements our efforts across the globe to open up markets.

I want to thank the gentleman from Connecticut (Mr. GEJDENSON) and the gentleman from Illinois (Mr. MANZULLO), my colleague, for his efforts to work with our office to achieve an agreement that ensures OPIC will continue to provide services to American investors overseas.

I also want to thank the gentleman from New York (Chairman GILMAN), the distinguished chairman of the committee, for his commitment to work with myself and the gentleman from Connecticut (Mr. GEJDENSON) on an International Trade Administration reauthorization bill at the beginning of the next session of the 106th Congress. I hope that we can build on the bill that we develop in this session and pass an ITA reauthorization bill as early as possible next year.

I urge Members to support passage of the legislation.

Mr. MANZULLO. Mr. Speaker, I rise in support of the Export Enhancement Act. For the benefit of my colleagues, let me provide some background to where we are today.

H.R. 3381 is a bipartisan and bicameral work-product. Both Members and staff from both sides of the aisle and both sides of Capitol Hill worked on this together in order to get this bill to the President as quickly as possible. The temporary reauthorization extension for the Overseas Private Investment Corporation expires today. It's time to finally get this legislation to the President.

The House version of H.R. 1993 is subject to a hold in the other body for reasons that have nothing to do with the substance of the legislation. Passage of H.R. 3381 now by the House is one way to seek quick action on a four year authorization for OPIC in case the House adjourns for the year prior to the Senate.

There are some changes. The most important are provisions dealing with the International Trade Administration were removed because of jurisdictional concerns with the Senate Banking Committee.

But it is important to remember what the new bill retains—four year OPIC reauthorization; success fee language on the Trade and Development Agency; and streamlining the efforts of the 19 federal agencies involved in export promotion. All of these provisions will help America increase U.S. exports and eliminate government waste. I urge my colleagues to support H.R. 3381.

Mr. MENENDEZ. Mr. Speaker, I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 3381.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROVIDING SUPPORT FOR CERTAIN INSTITUTES AND SCHOOLS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 440.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. HILLEARY) that the House suspend the rules and pass the Senate bill, S. 440, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 128, nays 291, not voting 14, as follows:

[Roll No. 597]

YEAS—128

Abercrombie	Frelinghuysen	Millender-
Allen	Gejdenson	McDonald
Baird	Gephardt	Moakley
Bateman	Gillmor	Moran (VA)
Berman	Gilman	Murtha
Biggert	Gordon	Neal
Blagojevich	Goss	Ney
Bliley	Hall (OH)	Oberstar
Blumenauer	Hall (TX)	Olver
Boehner	Hastings (FL)	Ortiz
Bonior	Hilleary	Oxley
Bono	Hobson	Packard
Borski	Hoekstra	Phelps
Boucher	Holt	Pickering
Brady (PA)	Hooley	Pryce (OH)
Brady (TX)	Horn	Quinn
Brown (OH)	Houghton	Radanovich
Bryant	Hoyer	Rahall
Camp	Hyde	Rangel
Capuano	Jackson (IL)	Regula
Castle	Jenkins	Rush
Clay	Johnson (CT)	Sabo
Clement	Kaptur	Sanders
Clyburn	Kasich	Sawyer
Costello	King (NY)	Schakowsky
Coyne	Kucinich	Scott
Davis (IL)	Lantos	Shimkus
DeFazio	Larson	Skelton
DeGette	LaTourette	Strickland
DeLaunt	Lazio	Stupak
DeLauro	Leach	Tanner
DeLay	Lewis (CA)	Tauscher
Dickey	Maloney (CT)	Taylor (NC)
Dicks	Markey	Tiahrt
Dixon	Martinez	Trafigant
Dooley	Matsui	Walden
Duncan	McCarthy (NY)	Walsh
Dunn	McDermott	Wamp
English	McGovern	Waxman
Eshoo	McHugh	Weller
Evans	McNulty	Wicker
Filner	Meehan	Wu
Ford	Metcalf	Wynn

NAYS—291

Aderholt	Bartlett	Bonilla
Andrews	Barton	Boswell
Archer	Bass	Boyd
Armey	Becerra	Brown (FL)
Bachus	Bentsen	Burr
Baker	Bereuter	Burton
Baldacci	Berkley	Buyer
Baldwin	Berry	Callahan
Ballenger	Bilbray	Calvert
Barcia	Bilirakis	Campbell
Barr	Bishop	Canady
Barrett (NE)	Blunt	Cannon
Barrett (WI)	Boehlert	Capps

Cardin	Jackson-Lee	Riley
Carson	(TX)	Rivers
Chabot	Jefferson	Rodriguez
Chambliss	John	Roemer
Chenoweth-Hage	Johnson, E. B.	Rogan
Clayton	Johnson, Sam	Rogers
Coble	Jones (NC)	Rohrabacher
Coburn	Jones (OH)	Ros-Lehtinen
Collins	Kanjorski	Rothman
Combest	Kelly	Roukema
Condit	Kennedy	Roybal-Allard
Conyers	Kildee	Royce
Cook	Kilpatrick	Ryan (WI)
Cooksey	Kind (WI)	Ryun (KS)
Cox	Kingston	Salmon
Cramer	Klecza	Sanchez
Crane	Klink	Sandlin
Crowley	Knollenberg	Sanford
Cubin	Kolbe	Saxton
Cummings	Kuykendall	Schaffer
Cunningham	LaFalce	Sensenbrenner
Danner	LaHood	Serrano
Deal	Latham	Sessions
DeMint	Lee	Shadegg
Deutsch	Levin	Shaw
Diaz-Balart	Lewis (GA)	Shays
Dingell	Lewis (KY)	Sherman
Doggett	Linder	Sherwood
Doolittle	Lipinski	Shows
Doyle	LoBiondo	Shuster
Dreier	Lofgren	Simpson
Edwards	Lowey	Sisisky
Ehlers	Lucas (KY)	Skeen
Ehrlich	Lucas (OK)	Slaughter
Emerson	Luther	Smith (MI)
Engel	Maloney (NY)	Smith (NJ)
Etheridge	Manzullo	Smith (TX)
Everett	Mascara	Smith (WA)
Ewing	McCarthy (MO)	Snyder
Fattah	McCollum	Souder
Fletcher	McCrary	Spratt
Foley	McInnis	Stabenow
Forbes	McIntyre	Stark
Fossella	McKeon	Stearns
Fowler	McKinney	Stenholm
Frank (MA)	Meek (FL)	Stump
Franks (NJ)	Meeks (NY)	Sununu
Frost	Menendez	Sweeney
Gallegly	Mica	Talent
Ganske	Miller (FL)	Tancred
Gekas	Miller, Gary	Tauzin
Gibbons	Miller, George	Taylor (MS)
Gilchrest	Minge	Terry
Gonzalez	Mink	Thomas
Goode	Mollohan	Thompson (CA)
Goodlatte	Moore	Thompson (MS)
Goodling	Moran (KS)	Thornberry
Graham	Myrick	Thune
Granger	Nadler	Thurman
Green (TX)	Napolitano	Tierney
Green (WI)	Nethercutt	Toomey
Greenwood	Northup	Towns
Gutierrez	Norwood	Turner
Gutknecht	Nussle	Udall (CO)
Hansen	Ose	Udall (NM)
Hastings (WA)	Owens	Upton
Hayes	Pallone	Velazquez
Hayworth	Pascarell	Vento
Hefley	Pastor	Visclosky
Herger	Paul	Vitter
Hill (IN)	Payne	Waters
Hill (MT)	Pease	Watkins
Hilliard	Pelosi	Watt (NC)
Hinchey	Peterson (MN)	Watts (OK)
Hinojosa	Peterson (PA)	Weiner
Hoeffel	Petri	Weldon (FL)
Holden	Pickett	Weldon (PA)
Hostettler	Pitts	Weyand
Hulshof	Pombo	Whitfield
Hutchinson	Pomeroy	Wilson
Inslee	Portman	Wolf
Isakson	Price (NC)	Woolsey
Istook	Ramstad	Young (AK)
	Reyes	Young (FL)
	Reynolds	

NOT VOTING—14

Ackerman	Largent	Scarborough
Davis (FL)	McIntosh	Spence
Davis (VA)	Morella	Wexler
Farr	Obey	Wise
Lampson	Porter	

□ 1313

Messrs. BASS, CRANE, SHOWS, INS-LEE, CRAMER, SMITH of Texas, MCINTYRE, TERRY, DOOLITTLE, POMEROY, BALDACCI, and PETRI, and Mrs. NORTHUP, Mrs. MALONEY of New York, Mrs. KELLY, Ms. SANCHEZ, Ms. DANNER, Ms. WOOLSEY, and Ms. MCKINNEY changed their vote from "yea" to "nay."

Messrs. MCDERMOTT, HOYER, WICKER, and TIAHRT changed their vote from "nay" to "yea."

So (two-thirds not having voted in favor thereof), the motion was rejected.

The result of the vote was announced as above recorded.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, I would like to inquire from the majority leader the schedule for the day and perhaps the remainder of the week.

Mr. ARMEY. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, let me advise Members that they may have received an errant, incorrect message over the House beeper system. This vote is not necessarily the last vote of the day.

The House and Senate leadership are working together to try to find ways to work around a couple of particular parliamentary problems that the Senate has. At this time of the year, as Members know, in order to do the final work of the year, the two bodies must coordinate and must be able to move together. They have some difficulties over on the other side of the building that we are trying to work around.

So that I would say to the Members, if, in fact, we are able to work through some agreements, we might be able to have one additional vote of big consequence to all of our membership later in the day, and we should also be prepared to vote again tomorrow. All of this is contingent upon how well we can negotiate agreements between leadership on both sides of the aisle in both bodies, and then get sort of key, what should I say, agreements by individual Members here and there regarding possible UCs that might be necessary to implement what it is we can agree to.

So we have 435 House Members, 100 Members of the other body that must be copasetic with whatever we can work out. We are working hard on this. We would not want any Member to feel like they lost their opportunity to be here at that magic moment when we could come to the floor with all of these people in agreement with one another.

So I would ask Members to stay close to their best information source, their